

BOARD OF SUPERVISORS

Brown County



305 E. WALNUT STREET
P.O. BOX 23600

GREEN BAY, WISCONSIN 54305-3600

PHONE (920) 448-4015 FAX (920) 448-6221

E-mail bc_county_board@co.brown.wi.us

EXECUTIVE COMMITTEE

Mary Scray, Chair

Guy Zima, Vice Chair

Tom Lund, Jesse Brunette, Bernie Erickson

Pat Evans, Tom De Wane

EXECUTIVE COMMITTEE

Monday, June 6, 2011

6:30 p.m.

Room 200, Northern Building

305 E. Walnut Street

- I. Call meeting to order.
- II. Approve/modify agenda.
- III. Approve/modify minutes of May 17, 2011.

Communications

1. Communication from Supervisor La Violette re: Consider changes in policies & procedures that would make the operation of the County Board more efficient and effective. (i.e. meet twice a month; allowing every supervisor to talk on every subject with time limitations and setting an adjournment time such as 11:00 p.m.) *Referred from May County Board.*
2. Communication from Supervisor Buckley re: To discuss status of lawsuit involving the former County Executive, Board Chair and Board Attorney, to get clarification on any conflict of interest. *Referred from May County Board.*
3. Communication from Supervisor Fewell re: Due to Governor Walker's Budget Repair Bill that limits Union bargaining rights and reduces Brown County to only one bargaining unit it is imperative that the Brown County Board review the contract and make appropriate changes for 2012 budget year. *Referred from May County Board.*

Legal Bills

4. Review and Possible Action on Legal Bills to be paid.

Reports

5. County Executive Report.
 - a) Budget Status Report for March 31, 2011.
 - b) Discussion re: Update re: Old Mental Health Center building (standing item).
6. Board Attorney Report.
 - a) Walker Repair Bill Update.

Vacant Budgeted Positions (Request to Fill)

7. Discussion re: layoff policies and procedures .
8. Circuit Courts – Court Reporter (vacated 7/5/11).
9. Highway – Highway Laborer/1st Mechanic (vacated 12/1/10).

10. Human Services – Staff RN (vacated 3/29/11).
11. Medical Examiner – Office Manager I (vacated 10/13/10).

Resolutions and Motions:

12. Resolution re: Change in Table of Organization - UW-Extension Increase Grant Funded Position (Community Garden Coordinator LTE).
- #12a Review of Omnibus Transportation Motion.

Closed Session

13. A Closed Session may be held pursuant to Wis. Stats. § 19.85(1)(e) for deliberating or negotiating the purchase of public properties, investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. (Labor Negotiations).

Other

14. Such other matters as authorized by law.

Mary Scray, Chair

Notice is hereby given that action by the Committee may be taken on any of the items, which are described or listed in this agenda. The Committee at their discretion may suspend the rules to allow comments from the public during the meeting. Please take notice that it is possible additional members of the Board of Supervisors may attend this meeting, resulting in a majority or quorum of the Board of Supervisors. This may constitute a meeting of the Board of Supervisors for purposes of discussion and information gathering relative to this agenda.

**PROCEEDINGS OF THE SPECIAL BROWN COUNTY EXECUTIVE
COMMITTEE & PUBLIC HEARING ON TENTATIVE REDISTRICTING PLAN**

Pursuant to Section 18.94 Wis. Stats., a special meeting of the **Brown County Executive Committee & Public Hearing on Tentative Redistricting Plan** was held on Tuesday, May 17, 2011 in Room 200 of the Northern Building – 305 East Walnut Street, Green Bay, Wisconsin

Present: Mary Scray, Chair; Jesse Brunette, Tom DeWane, Bernie Erickson, Pat Evans, Tom Lund, Guy Zima
Also Present: County Executive Troy Streckenbach, Supervisors Andrews, Buckley, Clancy, Fleck, Kaster, Schuller, Tumpach, VanVonderen, Wetzel
Chuck Lamine/Aaron Schuette – BC Planning Dept.
Fred Mohr – Board Attorney
Other Interested Parties, Media

i. **Call Meeting to Order:**

The meeting was called to order by Chair Mary Scray at 5:30p.m.

ii. **Approve/Modify Agenda:**

Motion by Supervisor Erickson, seconded by Supervisor DeWane to approve the agenda. MOTION APPROVED UNANIMOUSLY

1. **Public and Municipality Input regarding the Tentative Brown County Redistricting Plan 29-D Amended:**

Chair Scray explained that per State requirements, the County must re-draw legislative district lines every 10 years to reflect population changes as shown by the U.S. census.

Several plans have been studied as drafted by Chuck Lamine and Aaron Schuette of the Brown County Planning Department. Those plans range from 26 to 33 County Board members. After extensive discussion a decision was made for 29 opining that it would keep most communities intact. Brown County has approximately 248,000 residents, with the population increasing more than 20,000 since the last census in the year 2000.

Open to the Public

Jerry Wiezbiskie – City of Green Bay Alderman

Mr. Wiezbiskie stated he was against an increase from 26 to 33 supervisors, one reason being the impact on the Schmitt Park district he represents, in addition to possible changes in existing boundaries and on

TH

neighborhood associations. He stated he would like to see representation stay the same in the city.

Joyce McCollum, President League of Women Voters

McCollum spoke for the League of Women Voters who support keeping the size of the County Board at 26 members. She stated it is their belief that any size increase would be unnecessary and add an expense of over \$36,000 funded by tax levy. She indicated that boards in larger populated areas have smaller boards and represent more population per district, specifically pointing out Milwaukee County.

Anna Lisa Wager – Green Avenue, Green Bay

Stated she would not support more than 26 members, pointing out reasons of added expense in tough economic times, noting that other counties work with smaller boards. She asked if minority population has been considered.

Fred Monique – Green Bay Chamber of Commerce

Mr. Monique indicated that the Chamber recommends keeping the County Board at 26 members, pointing out that much of the contacts can now be done by e-mail, phones, etc., not requiring as much personal time. He noted that at budget time the Board has asked department heads and other contract agencies to do more with less, and suggested they now follow the same example.

Ann Hartman – Representing Neighborhood Associations

Expressed concern with neighborhoods being split and represented by more than one representative.

Bert McIntyre – President, Village of Howard

Stated he was against any increase in representation at this time because of pending budget cuts and increase in costs. He indicated it would be a "tough sell" when local officials are cutting spending and hoping to avoid layoffs.

Closed to the Public

2. **Committee discussion and possible action concerning the Resolution adopting the Tentative Brown County Supervisor District Plan (29-D Amended). An enhanced copy of the attached map can be seen at 222.co.brown.wi.us, under County Board/Committees or in the County Board Office – 305 East Walnut Street, Room 291:**

Aaron Schuette explained the parameters which were used for the Planning Department recommendations. He explained that the state requires a decision from the County Board within 60 days of receipt of

census information (May 20th). That recommendation is passed on to the individual municipalities to develop their ward plans, with a final decision made within another 60 days. He indicated that consideration was given to developing a cohesive plan which includes boundaries of neighborhood associations, and any minority populations. This plan would create three additional districts, each in the western part of the county.

Chair Scray addressed the present salary of supervisors which is annually \$7,800. She pointed out that although Milwaukee County has less supervisors, they are full-time and have benefits. Adding three members would increase salary costs to approximately \$23,400 plus benefits, which all supervisors do not take.

Supervisor Zima who supports an increase to 29 Board members explained that if more are not added, each supervisor will be responsible for a population of over 9,000 persons. Adding three more supervisors would decrease that to approximately 8,550 and keep the current boundaries close to what they are presently. It would also maintain 12 supervisors for the City of Green Bay.

Supervisor Vicki VanVonderen announced she had been contacted by the communities of Denmark, Ledgeview, Glenmore, and Rockland who have requested the board remain at 26 supervisors.

Additional concerns were expressed by Supervisor Buckley of a decrease in representation to the city. Zima indicated that the plan can still be "tweaked", mitigating many of these concerns

Motion by Supervisor Zima, seconded by Supervisor Lund to close the Public and Municipality Input session and refer to the Brown County Board at their May 18th, 2011 for further discussion.
MOTION APPROVED UNANIMOUSLY

3. **Such Other Matters as Authorized by Law:**
None

Motion made by Supervisor Zima and seconded by Supervisor Lund to adjourn at 6:30 p.m. MOTION APPROVED UNANIMOUSLY

Respectfully submitted,

Rae G. Knippel
Recording Secretary

III

**ATTORNEY BILLS SUBMITTED TO THE EXECUTIVE COMMITTEE
FOR JUNE 6, 2011 MEETING FOR APPROVAL AND PAYMENT**

ATTORNEY BILLS SUBMITTED TO THE EXECUTIVE COMMITTEE FOR JUNE 6, 2011 MEETING FOR APPROVAL AND PAYMENT					
LAW FIRM	INVOICE NUMBER	DATE	AMOUNT	FOR	
Atty. Frederick Mohr	2647M 4974	4/30/2011	\$ 2,847.00	Correction Officers, Museum, Highway, Bilgo, Sheriff's Dept., Teamsters, Facilities, Library, Telecommunicators, AFSCME	
Michael, Best & Friedrich	1148626	5/12/2011	\$ 105.75	Fox River Cleanup - Insurance	
	1148627	5/12/2011	\$ 920.00	API and NCR v. George A. Whitting, et al	
TOTAL			\$ 3,872.75		

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

414 East Walnut Street, Suite 101, P.O. Box 1015, Green Bay, WI 54305-1015

Tel: (920) 437-5441 Fax: (920) 437-5443

RECEIVED

MAY 04 2011

Human Resources

BROWN COUNTY HUMAN RESOURCES
C/O KAY LENZEN
305 EAST WALNUT STREET
GREEN BAY WI 54301

Page: 1

April 30, 2011

Account No: 2647M

Correction Officers	\$30.00
Museum	\$195.00
Highway	\$2,418.00
Bilgo	\$78.00
Sheriff's Dept.	\$1,053.00
Teamsters	\$39.00
Facilities	\$0.00
Library	\$1,638.00
Telecommunicators	\$39.00
AFSCME	\$39.00
	<hr/>
	\$5,529.00

Interest accrues at the rate of 1% per month on all balances over 30 days.

4

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

414 East Walnut Street, Suite 101, P.O. Box 1015, Green Bay, WI 54305-1015

Tel: (920) 437-5441 Fax: (920) 437-5443

BROWN COUNTY HUMAN RESOURCES
C/O KAY LENZEN
305 EAST WALNUT STREET
GREEN BAY WI 54301

Page: 1
April 30, 2011
Account No: 2647-0M
Statement No: 4974

Correction Officers

Previous Balance \$30.00

Balance Due \$30.00

Account No: 2647-1M
Statement No: 4974

Museum

Previous Balance \$234.00

	Hours	
Attention to Letter from Kirchman	0.20	39.00

Attention to Letter from Kirchman	0.20	39.00
Letter to Debbie	0.20	39.00

For Current Services Rendered	0.60	117.00
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Total Current Work 117.00

04/08/11 Less Payment Received -156.00

Balance Due \$195.00

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

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BROWN COUNTY HUMAN RESOURCES

Highway

Page: 2

April 30, 2011

Account No: 2647-2M

Statement No: 4974

Previous Balance		\$955.50
	Hours	
Preparation for Overtime Arbitration	1.50	292.50
Attention to Letter from Arbitrator	0.20	39.00
Letter to Arbitrator	0.20	39.00
Attendance at Arbitration	2.40	468.00
Drafting of Brief	3.00	585.00
Research of Law	1.50	292.50
For Current Services Rendered	8.80	1,716.00
Total Current Work		1,716.00
04/08/11 Less Payment Received		-253.50
Balance Due		<u>\$2,418.00</u>

Account No: 2647-3M
Statement No: 4974

Bilgo

Previous Balance	\$78.00
Balance Due	<u>\$78.00</u>

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

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Tel: (920) 437-5441 Fax: (920) 437-5443

BROWN COUNTY HUMAN RESOURCES

Sheriff's Dept.

Page: 3

April 30, 2011

Account No: 2647-4M

Statement No: 4974

Previous Balance		\$234.00
	Hours	
Attention to Letter from WERC	0.20	39.00
Letter to Debbie	0.20	39.00
Review of Prohibited Practice Complaint	0.40	78.00
Attention to Letter from WERC	0.20	39.00
Attention to Letter from WERC	0.20	39.00
Letter to Debbie	0.20	39.00
Attention to Letter from Attorney Cermele	0.20	39.00
Telephone Conference with Attorney Cermele	0.20	39.00
Letter to WERC	0.20	39.00
Attention to Letter from Arbitrator	0.20	39.00
Attention to Letter from WERC	0.20	39.00
Attention to Letter from WERC	0.20	39.00
Review of Complaint	0.30	58.50
Attention to Letter from Arbitrator	0.20	39.00
Letter to Arbitrator	0.20	39.00
Drafting of Answer	0.50	97.50
Letter to WERC	0.20	39.00
Attention to Letter from Attorney Cermele	0.20	39.00
Telephone Conference with Attorney Cermele	0.20	39.00
Letter to Debbie	0.20	39.00
Telephone Conference with Arbitrator	0.20	39.00
For Current Services Rendered	4.80	936.00

In Account With

FREDERICK J. MOHR LLC

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BROWN COUNTY HUMAN RESOURCES

Sheriff's Dept.

Page: 4

April 30, 2011

Account No: 2647-4M

Statement No: 4974

Total Current Work	936.00
04/08/11 Less Payment Received	-117.00
Balance Due	<u><u>\$1,053.00</u></u>

Account No: 2647-5M
Statement No: 4974

Teamsters

Previous Balance	\$39.00
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Balance Due	<u><u>\$39.00</u></u>
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Account No: 2647-6M
Statement No: 4974

Facilities

Previous Balance	\$331.50
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04/08/11 Less Payment Received	-331.50
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Balance Due	<u><u>\$0.00</u></u>
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4

In Account With

FREDERICK J. MOHR LLC

ATTORNEY AT LAW

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BROWN COUNTY HUMAN RESOURCES

Library

Page: 5

April 30, 2011

Account No: 2647-7M

Statement No: 4974

Previous Balance		\$1,755.00
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	Hours	
Attention to Letter from Etten	0.20	39.00

Letter to Etten	0.20	39.00
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For Current Services Rendered	0.40	78.00
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Total Current Work		78.00
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04/08/11 Less Payment Received		-195.00
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Balance Due		<u>\$1,638.00</u>
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Account No: 2647-8M

Statement No: 4974

Telecommunicators

Previous Balance		\$117.00
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04/08/11 Less Payment Received		-78.00
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Balance Due		<u>\$39.00</u>
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4

In Account With

FREDERICK J. MOHR LLC

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Tel: (920) 437-5441 Fax: (920) 437-5443

BROWN COUNTY HUMAN RESOURCES

AFSCME

Page: 6

April 30, 2011

Account No: 2647-9M

Statement No: 4974

Previous Balance	\$234.00
04/08/11 Less Payment Received	-195.00
Balance Due	<u>\$39.00</u>
Total Balance Due	<u>\$5,529.00</u>

Interest accrues at the rate of 1% per month on all balances over 30 days.

4

IN ACCOUNT WITH

MICHAEL BEST

& FRIEDRICH LLP

John F. Luetscher
Brown County Corporation Counsel
Northern Building - Room 680
305 East Walnut Street
PO Box 23600
Green Bay, WI 54305-3600

RECEIVED BY
MAY 13 2011
Brown County
Corporation Counsel

One South Pinckney Street
P.O. Box 1806
Madison, Wisconsin 53701-1806
FAX 608.283.2275
Telephone 608.257.3501

Michaelbest.com

Client: 018236

May 12, 2011
Invoice No. 1148626

EIN 39-0934985

Due Upon Presentation
Return Upper Portion with Payment

Invoice No. 1148626

For Professional services rendered through April 30, 2011, as follows:

Matter: 018236-0042 Fox River Cleanup - Insurance

4/18/11	R Exum	Process payment from Wausau; update payment tracking chart and send check to client; process defense invoice for March services and tender same to insurance companies for payment.	0.70	\$105.00
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Total Hours	0.70	
Total Services		\$105.00

Disbursements:

Photocopying		.75
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Disbursements Total		<u>\$0.75</u>
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Total This Matter		\$105.75
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MICHAEL BEST

& FRIEDRICH LLP

4

IN ACCOUNT WITH

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Michaelbest.com

MICHAEL BEST

& FRIEDRICH LLP

Client: 018236

Page 2

May 12, 2011
Invoice No. 1148626

Matter: 018236-0042 Fox River Cleanup - Insurance

ATTORNEY BREAKDOWN

Attorney	Title	Hours Worked	Billed Per Hour	Bill Amount
R Exum	Paralegal	0.7	\$150.00	\$105.00
Totals		0.70		\$105.00

MICHAEL BEST

& FRIEDRICH LLP

4

IN ACCOUNT WITH

MICHAEL BEST

& FRIEDRICH LLP

John F. Luetscher
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Brown County
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Michaelbest.com

Client: 018236

May 12, 2011
Invoice No. 1148627

EIN 39-0934985

Due Upon Presentation
Return Upper Portion with Payment

Invoice No. 1148627

For Professional services rendered through April 30, 2011, as follows:

Matter: 018236-0044 API and NCR v. George A. Whiting, et al.

4/13/11	I Pitz	Read scheduling order and recent case filings.	2.30	\$920.00
Total Hours			2.30	
Total Services				\$920.00
Total This Matter				\$920.00

MICHAEL BEST

& FRIEDRICH LLP

IN ACCOUNT WITH

MICHAEL BEST

& FRIEDRICH LLP

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Madison, Wisconsin 53701-1806
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Telephone 608.257.3501

Michaelbest.com

Client: 018236

Page 2

May 12, 2011

Invoice No. 1148627

Matter: 018236-0044 API and NCR v. George A. Whiting, et al.

ATTORNEY BREAKDOWN

Attorney	Title	Hours Worked	Billed Per Hour	Bill Amount
I Pitz	Partner	2.3	\$400.00	\$920.00
Totals		2.30		\$920.00

MICHAEL BEST

& FRIEDRICH LLP

4

Brown County
Executive

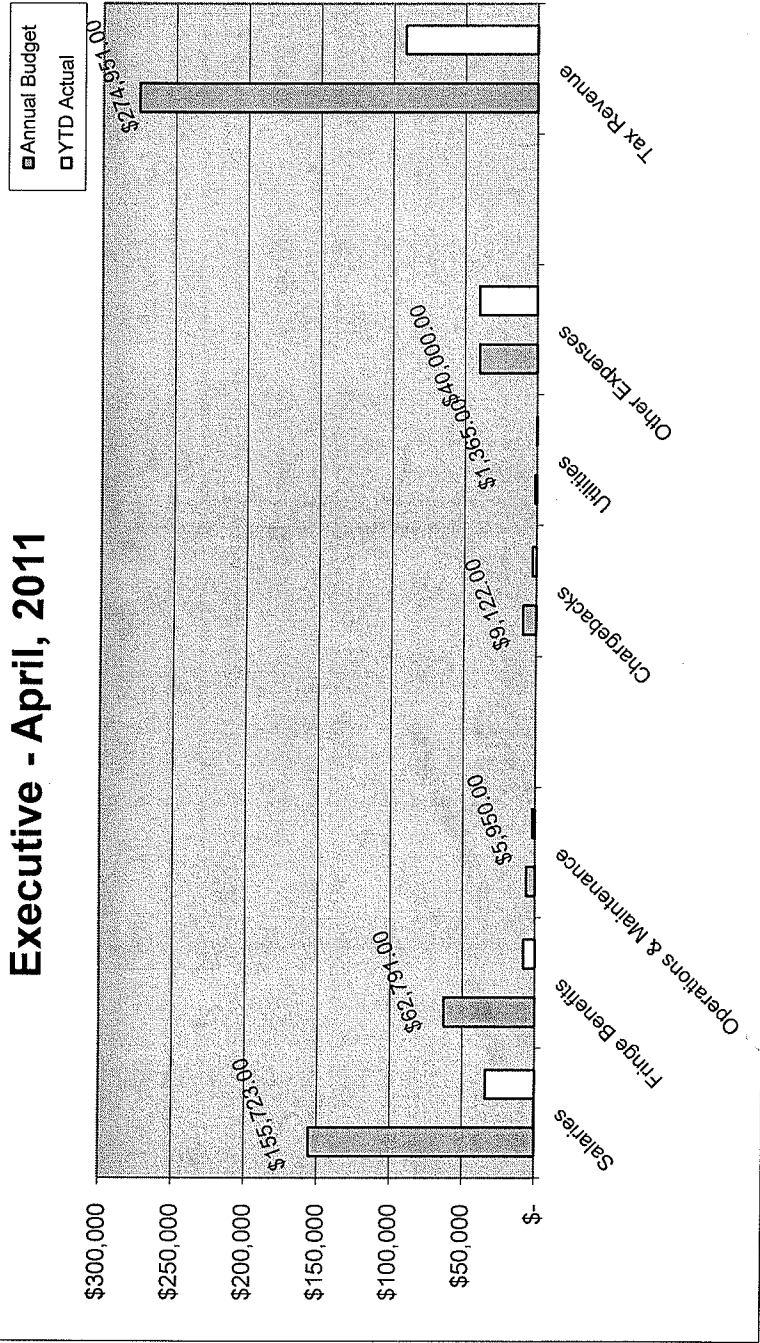
HIGHLIGHTS:

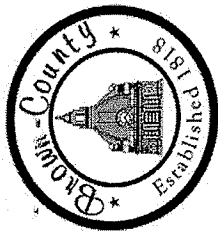
Budget Status Report

4/30/2011

	Annual Budget	YTD Actual
Salaries	\$ 155,723.00	\$ 33,858.46
Fringe Benefits	\$ 62,791.00	\$ 8,027.12
Operations & Maintenance	\$ 5,950.00	\$ 1,806.59
Chargebacks	\$ 9,122.00	\$ 2,795.25
Utilities	\$ 1,365.00	\$ 256.55
Other Expenses	\$ 40,000.00	\$ 40,000.00
Tax Revenue	\$ 274,951.00	\$ 91,650.32

Executive - April, 2011





Executive, April 2011, Budget Performance Report

Through 04/30/11
Prior Fiscal Year Activity Included
Summary Listing

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year YTD
Fund 100 - GF									
REVENUE									
Property taxes	274,951.00	.00	274,951.00	22,912.58	.00	91,650.32	183,300.68	33	107,219.00
Transfer in	.00	.00	.00	.00	.00	.00	.00	+++	.00
REVENUE TOTALS	\$274,951.00	\$0.00	\$274,951.00	\$22,912.58	\$0.00	\$91,650.32	\$183,300.68	33%	\$107,219.00
EXPENSE									
Personnel services	155,723.00	.00	155,723.00	11,128.58	.00	33,858.46	121,864.54	22	58,597.14
Fringe benefits and taxes	62,791.00	.00	62,791.00	1,323.38	.00	8,027.12	54,763.88	13	20,949.80
Operations and maintenance	5,950.00	.00	5,950.00	101.02	.00	1,806.59	4,143.41	30	2,762.83
Utilities	1,365.00	.00	1,365.00	83.31	.00	339.86	1,025.14	25	632.64
Chargebacks	9,122.00	.00	9,122.00	849.03	.00	2,795.25	6,326.75	31	2,644.06
Contracted services	.00	.00	.00	.00	.00	.00	.00	+++	.00
Other	40,000.00	.00	40,000.00	.00	.00	40,000.00	.00	100	40,000.00
EXPENSE TOTALS	\$274,951.00	\$0.00	\$274,951.00	\$13,485.32	\$0.00	\$86,827.28	\$188,123.72	32%	\$125,586.47
Fund 100 - GF Totals									
REVENUE TOTALS	274,951.00	.00	274,951.00	22,912.58	.00	91,650.32	183,300.68	33	107,219.00
EXPENSE TOTALS	274,951.00	.00	274,951.00	13,485.32	.00	86,827.28	188,123.72	32	125,586.47
Fund 100 - GF Totals	\$0.00	\$0.00	\$0.00	\$9,427.26	\$0.00	\$4,823.04	(\$4,823.04)		(\$18,367.47)
Grand Totals									
REVENUE TOTALS	274,951.00	.00	.00	22,912.58	.00	91,650.32	183,300.68	33	107,219.00
EXPENSE TOTALS	274,951.00	.00	274,951.00	13,485.32	.00	86,827.28	188,123.72	32	125,586.47
Grand Totals	\$0.00	\$0.00	(\$274,951.00)	\$9,427.26	\$0.00	\$4,823.04	(\$4,823.04)		(\$18,367.47)

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HUMAN RESOURCES DEPARTMENT

Brown County

305 E. WALNUT STREET
P.O. BOX 23600
GREEN BAY, WI 54305-3600



DEBBIE KLARKOWSKI, PHR

PHONE (920) 448-4065 FAX (920) 448-6277 WEB: www.co.brown.wi.us

HUMAN RESOURCES MANAGER

June 6, 2011

Departments for position approval process at Executive Committee:

Circuit Courts – Court Reporter (vacated 7/5/11)

Highway – Highway Laborer/1st Mechanic (vacated 12/1/10)

Human Services – Staff RN (vacated 3/29/11)

Medical Examiner – Office Manager I (vacated 10/13/10)

OFFICE OF
FAMILY COURT COMMISSIONER

Brown County
100 SOUTH JEFFERSON STREET
P.O. BOX 23600
GREEN BAY, WISCONSIN 54305-3600
PHONE (920) 448-4285

LAWRENCE L. GAZELEY
FAMILY COURT COMMISSIONER
CIRCUIT COURT COMMISSIONER

TO: County Executive
Ellen Sorenson, Direction of Administration
Debbie Klarkowski, Human Resources Manager

FROM: Lawrence L. Gazeley
Circuit Court Commissioner

DATE: April 15, 2011

REF: Request to Fill Position of Court Reporter

1. Position Description

The April, 2004 position description is not accurate and has not been for some time. The essential duties are as follows:

Makes a verbatim stenographic record of court proceedings before Brown County Commissioners to include initial appearances, bail hearings and preliminary hearings in criminal, traffic, Department of Natural Resources, and Brown County Code violations cases; initial, plea and detention hearings in juvenile court cases; mental health probable cause hearings; initial hearing in paternity cases; final uncontested divorce hearings; and domestic abuse and harassment injunction hearings; as required, prepares transcripts of such proceedings; and fulfills transcript requests.

The court reporters generally do not perform general secretarial/administrative assistant duties. Their shared office is not adjacent to the commissioner's office suite. They are too

heavily scheduled as reporters to assist the office staff except in emergency situations. Not all hearings conducted by court commissioners are on the record, i.e. not all require a verbatim record, but such on-the-record hearings are scheduled eighteen of twenty half-day time blocks per week. When not scheduled in a courtroom - one-half day each per week, reporters prepare transcripts or perform office work related to their essential duties.

2. Duties Related to an Essential Service

Makes a verbatim stenographic record of court proceedings before Brown County Commissioners to include initial appearances, bail hearings and preliminary hearings in criminal, traffic, Department of Natural Resources, and Brown County Code violations cases; initial, plea and detention hearings in juvenile court cases; mental health probable cause hearings; initial hearing in paternity cases; final uncontested divorce hearings; and domestic abuse and harassment injunction hearings; as required, prepares transcripts of such proceedings; and fulfills transcript requests. Many of these hearings must be held daily or within mandatory time limits established by law. The commissioners cannot complete a significant portion of their assigned responsibilities without a court reporter.

3. Job Performance Measure

A court reporter must be able to accurately make a complete record of each court proceeding, and, if necessary, produce a complete and accurate transcript of these hearings. Measures of performance include making the record without disrupting the proceedings and producing accurate transcripts for other courts, lawyers and litigants in a timely manner. Job performance is ultimately measured by those who receive the final product.

4. Opportunity to Streamline and Reorganize

The technology available to court reporters has improved over the years, e.g. machines are available which can print transcripts directly from the mechanically created notes. These drafts can then be edited to produce a certified transcript, but there is no legally-accepted alternative to having the reporter present in the courtroom while hearings are in progress.

5. Are Budgeted Funds Sufficient

This position is already funded.

6. Impact of Not Filling the Position Within a Specific Time Frame

Failure to fill the position immediately will mean an immediate 50% reduction in the work which can be accomplished by the Court Commissioners in those areas of our work which must be on the record. Commissioners would be unable to complete work in a timely manner. A failure to do so would create violations of statutory time limits which would, in turn, violate state law and compromise criminal and juvenile delinquency cases, child protection cases, and involuntary mental commitment cases. Brown County residents would also be denied timely access to protection orders (domestic violence and harassment), final divorce hearings, paternity adjudications and restitution determinations.

Attachment re: Court Reporter position

The position to be filled is currently part of a job sharing arrangement. The departing employee has been working four days per week. Court Reporter Michelle Dewick has been working one day per week. We would like to continue this arrangement. It enables us to cover for vacation and illness without the need to use expensive, free-lance reporters. However, the supply of qualified/certified reporters is limited, and we would be willing to give up the job-share if necessary to employ a qualified replacement. Michelle Dewick is unwilling to work more than one day per week per a recent conversation with her.

4/29/2011

2011 Budget Impact (budgeted position)
Court Commissioner
Court Reporter (0.8 FTE)

<u>2011 Budget Impact:</u>	Partial Budget Impact	7/1/11- 12/31/11
2011 Salary		\$ 16,532.00
2011 Fringe Benefits		<u>\$ 8,517.29</u>
		<u><u>\$ 25,049.29</u></u>

<u>2011 Budget Impact:</u>	Annualized	2011
2011 Salary		33,064.00
2011 Fringe Benefits		<u>\$ 17,034.57</u>
		<u><u>\$ 50,098.57</u></u>

Note: this position is currently budgeted for

HIGHWAY DEPARTMENT

Brown County

2198 GLENDALE AVENUE
GREEN BAY, WI 54303

PHONE (920) 492-4925 FAX (920) 434-4576
EMAIL: bc_highway@co.brown.wi.us

BRIAN L. LAMERS, CPA
HIGHWAY COMMISSIONER

May 9, 2011

TO: Troy Strekenbach, County Executive
Debbie Klarkowski, County Human Resources Manager
Ellen Sorensen, County Administration Director

FROM: Brian Lamers, Commissioner
Highway Department

SUBJECT: Request to Fill the 1st Mechanic Position

1. *Is the position description current or does it require updates? (Updates to job descriptions should be submitted, reviewed and approved by the HR Department prior to submitting the A1 form.)*
Yes, the position description for the 1st Mechanic position was reviewed and there are no required updates since the last changes were made.
2. *Are the duties of the position related to an essential (mandatory) service? If yes, please explain.*
Yes. This position is vital to the operation of the Highway Department, as our mechanics are responsible for maintaining over 200 pieces of equipment necessary to carry out the services provided by the Highway Department. If held vacant much of the day to day repairs and preventative maintenance does not get carried out.
3. *Describe job performance measurements for this position (clients, caseload, work output, etc.)*
Brown County is among one of the largest counties in the State of Wisconsin in population and lane miles. Our Highway Department carries out winter and summer roadway and bridge maintenance on approximately 785 lane miles of County highways and 713 lane miles of State highways. We also provide a variety of services to other Brown County departments. Over the next 6 years, our operations will be directly affected by the STH 29 & USH 41 reconstruction projects. Once these 2 projects are complete, we will have approximately 65 additional lane miles and 20 roundabouts to plow and maintain. The Highway Department will be looking into adding additional laborers in the near future to accommodate the additional lane miles and maintenance. Also in the near future the County will be adding additional lane miles for CTH RK (from CTH EB to CTH J), the expansion of CTH GV and the extension of CTH EA, all of which will add to the workload of our current workforce. With these services we have to maintain the necessary equipment. In addition, with the above mentioned added services, we will also be adding additional equipment to enable us to adequately carry out these services.
4. *Describe how this vacancy presents opportunities to streamline processes or reorganize operations. Considerations should include consolidating, eliminating and/or outsourcing job responsibilities.*
We have looked at the cost to outsource our equipment maintenance; however it is much more costly per hour (including fringes) to outsource, in addition to the added cost of transporting the equipment to get serviced. We also looked at a reduction of maintenance staff, but that option would require extensive overtime of our current staff to keep up with the demands. In addition, mechanics are also utilized as plow operators during major storm events.
5. *Are budgeted funds sufficient to cover the cost of filling the position? Or does this position need to be held vacant for a period of time to offset projected budget shortfalls?*
The wages (including fringes) are reimbursed 100% by our equipment revenue.
6. *What is the impact of not filling the position in: 3 months? 6 months? 12 months? Not at all?*
The longer the position remains vacant, the more equipment that remains unrepaired and available for our employees, which in turn could mean added costs to make the inevitable needed repairs. The other 3 options available would be (1) rent the necessary equipment to complete our required job tasks, (2) outsource the necessary equipment repairs at a minimum of 1½ to 2 times greater cost, or (3) existing employees work overtime.

5/13/2011

2011 Budget Impact Calculation
For the Period 01/01/2011-12/31/2011
Highway- 1st Mechanic

<u>2011 Budget Impact:</u>	Partial Budget Impact	5/16/11- 12/31/11
2011 Salary		\$ 28,015.00
2011 Fringe Benefits		<u>\$ 15,077.67</u>
		<u>\$ 43,092.67</u>

<u>2011 Budget Impact:</u>	Annualized	2011
2011 Salary		44,824.00
2011 Fringe Benefits		<u>\$ 24,124.28</u>
		<u>\$ 68,948.28</u>

Note: this position is currently budgeted for

BROWN COUNTY HUMAN SERVICES

Brown County Community Treatment Center
Outpatient Clinical Services Division
3150 Gershwin Drive
Green Bay, WI 54311



Phone (920) 391-6940

4/7/11

TO: Tom Hinz, County Executive
Debbie Klarkowski, Human Resources Manager
Ellen Sorensen, Director of Administration

FROM: Kevin Lunog, Clinical Services Manager
Human Services

SUBJECT: Request to Fill – Staff RN

1. Is the position description current or does it require updates? (Updates to job descriptions should be submitted, reviewed and approved by the HR Department **prior to** submitting the A1 form.)
The position description has been reviewed and updated.
2. Are the duties of the position related to an essential (mandatory) service? If yes, please explain.
We utilize nursing for responding to the Brown County residents questions regarding medications, to triage for the doctors, to assist by taking orders and readying medications, giving injections to those needing injectable medications, completing history and physicals along with administering TB tests at the diversion facility and are a part of the Residential Intoxication Monitoring Services program there, assisting coworkers with medical related questions and training, case managing those who have more severe medical issues along with their mental health issues. One nurse has primary responsibility for manning the nursing office but all other nurses assist that position in taking turns at the backup nursing desk.
3. Describe job performance measurement for this position (clients, caseload, work output, etc.)
This position will work with the other nurses to maintain coverage needed in all areas of the clinic. All nursing positions, except the one primarily responsible for the nursing desk, carry a varying caseload depending upon the severity and time needed to maintain stabilization of the patient. All nurses are available for the staff to consult with regarding the medical needs of their caseload.
4. Explain how this vacancy presents opportunities to streamline processes or reorganize operations. Considerations should include consolidating, eliminating and/or outsource job responsibilities.
The nurses currently work together to cover all needed functions and take turns at the backup nursing desk, the diversion facility duties and the injection clinic.
5. Are budgeted funds sufficient to cover the cost of filling the position? Or does this position need to be held vacant for a period of time to offset projected budget shortfalls?
This position is budgeted for and is only open due to the posting out of the nurse who held the position previously.

6. What is the impact of not filling the position in 3 months? 6 months? 12 months? Not at all?
The nursing staff has been dealing with running short due to several medical and family leaves and there is another leave scheduled this month. We utilize nursing staff to assist at the diversion location which is a 20 bed facility with two of the beds devoted to the new Residential Intoxication Monitoring Service (RIMS) program. We have injection clinics on two days of the week and have seen an increase in patients needing medications from 480 newly opened cases in 2009 to 605 in 2010. To continue to work with a shortage of nursing time we will not be able to cover all of the duties needed and Brown County residents will be adversely affected as we see the costs increase because we couldn't utilize diversion, give injections and provide the case management to the medically fragile in the way we can now. This would lead to increased inpatient admissions, detox stays and medical hospital stays.

4/29/2011

2011 Budget Impact (budgeted position)
Community Treatment Center
Staff RN

<u>2011 Budget Impact:</u>	Partial Budget Impact	6/1/11- 12/31/11
2011 Salary		\$ 32,674.83
2011 Fringe Benefits		<u>\$ 14,572.98</u>
		<u>\$ 47,247.81</u>

<u>2011 Budget Impact:</u>	Annualized	2011
2011 Salary		56,014.00
2011 Fringe Benefits		<u>\$ 24,982.24</u>
		<u>\$ 80,996.24</u>

Note: this position is currently budgeted for



Brown County

300 EAST WALNUT STREET
PO BOX 23600
GREEN BAY, WISCONSIN 54305-3600

PHONE (920) 448-4185 FAX (920) 448-4186

To: Tom Hinz – County Executive
Ellen Sorenson – Director of Administration
Debbie Klarkowski – Human Resources Manager

Fr: Al Klimek – Chief Medical Examiner

Ref: Request to Fill: Office Manager 1, Medical Examiner

Date: 9/10/10

1. I have reviewed the job description for the position of Office Manager 1 and feel that is accurate and requires no changes or additions.
2. The duties of this position are essential to the operations of the office as this is the only person other than the department head within the table of organization that conducts day to day business. Generally speaking if this position is empty, the office would often time be closed because my duties and responsibilities require me to be out of the office at various locations.
3. It is necessary for this to be a 40 hour per week position. The office needs to be open Monday through Friday from approximately 0800-1630. During this time the Manager is responsible for all data entry pertaining to death investigation activities, invoicing for services, communicate by phone and computer with personnel as well as the public, coordinate investigations with the staff and maintain "window operations" for those that come directly to the office seeking assistance. (See statistics on attached sheet)
4. Although this vacancy will allow us to tweak our system, the overall functions will remain the same. There is no opportunity for these duties to be absorbed by others as there simply is no one else available. I anticipate that this position will be filled by a current county employee so the transition should go well as long as we have an opportunity for the successful candidate to spend some time with the current Office Manager. There is much information that has been acquired over the years that is not contained within a policy and procedure manual that needs to be shared between them.
5. Our budgeted funds are sufficient to cover the cost of filling this position. Per Ellen Sorenson, we have enough funds to employ two people for a training period of two weeks. The current Manager has indicated that she will vacate the position on October 13, 2010. This is due to her medical condition and is subject to change at anytime. I cannot emphasize enough the importance of expediting the hiring process if possible. Any delay will create a hardship to our customers and to the overall functions of the office. If you have any further questions please feel free to contact me.

Al Klimek

A handwritten signature in black ink, appearing to read "AKK", written over the printed name "Al Klimek".

Information pertaining to duties and responsibilities of the Office Manager position:

1. Generates and processes 1200 death investigation case files per year
2. Processes 5000 photographs associated with the death investigation.
3. Proofreads and corrects 1200 Deputy Medical Examiner reports. This requires knowledge and understanding of medical terminology
4. Processes 1100 Cremation permits
5. Processes 50 Disinterment permits
6. Reads and replies to 50 e-mails per day
7. Answers 25+ case related phone calls per day
8. Coordinates death scene responses and cremation case work on an average of 10 per day
9. Processes time cards for 18 employees biweekly
10. Attends to "window operations" approximately 10 times per day.
11. Requests medical records 500 times annually
12. Processes thousands of invoices for services provided
13. Maintains accounts payable
14. Tracks and documents statistical information pertaining to suicide, motor vehicle deaths, and drug related deaths for use in various committees.
15. Oversight of student intern
16. Processes 300+ insurance company requests annually for information
17. Processes 100+ attorney requests annually for information

AYK

4/29/2011

2011 Budget Impact Calculation
Medical Examiner
Office Manager I

Office Manager I

<u>2011 Budget Impact (7/1/11-12/31/11):</u>	Partial Budget Impact	7/1/11- 12/31/11
2011 Salary		\$ 18,959.00
2011 Fringe Benefits		<u>\$ 5,463.98</u>
		<u>\$ 24,422.98</u>

<u>2011 Budget Impact:</u>	Annual Budget Impact	2011
2011 Salary		37,918.00
2011 Fringe Benefits		<u>\$ 10,927.97</u>
		<u>\$ 48,845.97</u>

NOTE: This position is reflected in the budget.

HUMAN RESOURCES DEPARTMENT

Brown County

305 E. WALNUT STREET
P.O. BOX 23600
GREEN BAY, WI 54305-3600



DEBBIE KLARKOWSKI, PHR

PHONE (920) 448-4065 FAX (920) 448-6277 WEB: www.co.brown.wi.us

HUMAN RESOURCES MANAGER

To: Debbie Klarkowski
Human Resources Manager

From: Deb Seidel
Human Resources Analyst

Date: May 16, 2011

RE: UW-Extension request to increase Community Garden Coordinator LTE position

The UW-Extension office received a grant through North Central Region Risk Management Education Center in the amount of \$33,710. The duration of this grant is for the remainder of 2011 and first six months of 2012. The current UW-Extension table of organization includes a .38 FTE Community Garden Coordinator budgeted at 790 annual hours. The grant allows this position to increase annual hours by 298 for a total of 1,088 annual hours. This increases the FTE from .38 to .52 FTE.

Additionally, the UW-Extension office received a grant from the Wisconsin Arthritis Foundation to create a DVD that will help educate individuals on the new adaptive tools available for gardening with arthritis. It is estimated an additional 30 hours will be required to complete this project. The Community Garden Coordinator will oversee the creation of the DVD which is due June 30, 2011. The grant allows this position to increase another 30 hours for a total of 1,118 hours increasing to a .54 FTE.

The grants are 100% funded; therefore, there is no additional fiscal impact to Brown County for the remainder of 2011.

2011 BUDGET IMPACT CALCULATION

UW-Extension

Add additional hours to Community Garden Coordinator (LTE)

Increase .38 FTE to .54 FTE

	Community Garden Coordinator	
<u>Budget Impact for the Period 6/1/11 - 12/31/11</u>		
2011 Estimated Additional Salary (6/1/11 - 12/31/11)	\$ 9,620.24	increase 328 hrs @ \$29.33/hr
2011 Estimated Additional Fringe (6/1/11-12/31/11)	\$ 1,731.64	
Total 2011 Salary & Fringe Cost	\$ 11,351.88	
Grant Revenue	\$ (11,351.88)	
2011 PARTIAL BUDGET IMPACT	0.00	

June 15, 2011

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies & Gentlemen:

RESOLUTION REGARDING CHANGE IN TABLE OF ORGANIZATION
UW-EXTENSION
INCREASE GRANT FUNDED POSITION
(Community Garden Coordinator LTE)

WHEREAS, the UW-Extension table of organization currently includes a .38 FTE grant funded Community Garden Coordinator LTE position; and

WHEREAS, a grant has been received from the North Central Region Risk Management Education Center for \$33,710 for the remainder of 2011 and first six months of 2012; and

WHEREAS, this grant allows the Community Garden Coordinator LTE position to increase from 790 annual hours or .38 FTE, to 1,088 annual hours or .52 FTE; and

WHEREAS, the UW-Extension office also received a grant from the Wisconsin Arthritis Foundation to create a DVD to help educate individuals on the new adaptive tools available for gardening with arthritis; and

WHEREAS, the Community Garden Coordinator will oversee this project which is estimated to take 30 hours. This grant allows the position to increase an additional 30 hours to 1,118 annual hours or .54 FTE; and

WHEREAS, after a thorough review was completed by Human Resources in conjunction with UW-Extension, the following change to the table of organization is recommended; and

WHEREAS, Human Resources and UW-Extension recommend increasing the grant funded Community Garden Coordinator LTE position in the UW-Extension table of organization from 790 annual hours a .38 FTE, to 1,118 annual hours a .54 FTE through 12/31/11; and

NOW, THEREFORE, BE IT RESOLVED, by the Brown County Board of Supervisors, increase the grant funded Community Garden Coordinator LTE in the UW-Extension table of organization from 790 annual hours a .38 FTE to 1,118 annual hours a .54 FTE through 12/31/11.

BE IT FURTHER RESOLVED, that the position is 100% grant funded with no benefits resulting in no fiscal impact to the budget. Should funding be eliminated, the position will end and be eliminated from UW-Extension's table of organization.

Respectfully submitted,

PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE

EXECUTIVE COMMITTEE

Fiscal Note: This resolution does not require an appropriation from the General Fund. The position is funded through grant money.

UW-Extension
Community Garden Coordinator LTE
Add additional hours (328 hours @ \$29.33/hour)
Increase from .38 FTE to .54 FTE

Budget Impact of additional hours for the Period 6/1/11 - 12/31/11

2011 Estimated Salary (6/1/11 - 12/31/11)	\$ 9,620.24
2011 Estimated Fringe (6/1/11-12/31/11)	<u>\$ 1,731.64</u>
Total 2011 Salary & Fringe Cost	\$ 11,351.88
Grant Revenue	<u>\$ (11,351.88)</u>
2011 PARTIAL BUDGET IMPACT	<u>0.00</u>

Approved By:

COUNTY EXECUTIVE

Date Signed: _____

Submitted by Human Resources Dept.

Final Draft Approved by Corporation Counsel

BOARD OF SUPERVISORS ROLL CALL # _____

Motion made by Supervisor _____

Seconded by Supervisor _____

SUPERVISOR NAMES	DIST. #	AYES	NAYS	ABSTAIN
TUMPACH	1			
DE WANE	2			
NICHOLSON	3			
THEISEN	4			
KRUEGER	5			
HAEFS	6			
ERICKSON	7			
BRUNETTE	8			
ZIMA	9			
EVANS	10			
VANDER LEEST	11			
BUCKLEY	12			
DANTINNE, JR	13			

SUPERVISOR NAMES	DIST. #	AYES	NAYS	ABSTAIN
LA VIOLETTE	14			
ANDREWS	15			
KASTER	16			
VAN VONDEREN	17			
SCHULLER	18			
FLECK	19			
CLANCY	20			
WETZEL	21			
MOYNIHAN	22			
SCRAY	23			
CARPENTER	24			
LUND	25			
FEWELL	26			

Total Votes Cast _____

Motion: Adopted _____ Defeated _____ Tabled _____

TRANSPORTATION

Omnibus Transportation Motion

Motion:

Move to make the following modifications to the bill related to transportation:

1. *Federal Highway Formula Aid.* Adopt Alternative #1 of LFB Issue Paper #643, which would approve the Governor's recommendation to estimate total federal highway aid at \$715,340,300 in 2011-12 and \$721,395,300 in 2012-13.

2. *Transfer from the General Fund to the Transportation Fund.* Adopt Alternative #5 of LFB Issue Paper #644, which would delete a provision in the bill that would deposit a specified percentage of sales tax revenue from the sale of motor vehicles and motor vehicle parts and accessories in the transportation fund instead of the general fund. Instead, require the Department of Administration, beginning on June 30, 2013, and annually thereafter, to transfer an amount equal to 0.25% of total general fund taxes, as shown in the general fund condition statement contained in the biennial budget act for that fiscal year, from the general fund to the transportation fund. Specify that the amount transferred in each fiscal year may not be less than \$35,127,000. Require the Department of Administration to make a separate transfer of \$125,000,000 from the general fund to the transportation fund in 2011-13.

3. *Transportation Finance and Policy Study Commission and Biennial Transportation Financing Plan Requirements.* Establish a Transportation Finance and Policy Study Commission to examine issues related to the future of transportation finance in this state. Specify that the Commission shall consist of the Secretary of the Department of Transportation, as a nonvoting member, and ten public members, one each appointed by the Speaker of the Assembly, the Assembly Minority Leader, the Senate Majority Leader and the Senate Minority Leader, and six appointed by the Governor. Specify that five of the public members shall have experience in public finance, transportation policy, or transportation system planning.

Require the Commission to address the following issues: (a) the estimated costs of: (1) highway maintenance, rehabilitation, reconstruction, and expansion projects over a ten-year period, including both those currently identified in the Department of Transportation's six-year program and those in the Department's long-range transportation plans; and (2) local government transportation aid and assistance programs, including general transportation aids and mass transit operating assistance; (b) projections of transportation fund revenues over the same ten-year period; (c) projections of transportation fund debt service over the same ten-year period, under various scenarios for the use of bonds; (d) various options for increasing transportation fund revenues or adjusting transportation fund expenditures over the ten-year period to achieve a stable balance between expenditures, revenues, and debt service; and (e) the impact of highway project planning

for specific projects on landowners with property abutting proposed improvements.

Require the Commission to prepare a report with findings and recommendations to the four legislative leaders and the Governor by March 1, 2013.

Require the Department of Transportation to submit a 10-year plan every two years with its biennial budget request that includes an estimate of total transportation fund revenues, proposed bonding, and estimated debt service for each year of the period. Require the Department to show various scenarios in the plan with different levels of transportation spending; from bond or cash sources, and different levels of revenues. Specify that at least one scenario should result in achieving a stable debt service percentage by the end of the 10-year period. Specify that for any scenarios that result in an increasing debt service percentage, the plan should identify the potential consequences for specific transportation programs of reduced net revenues.

4. *General Transportation Aids Funding.* Modify the Governor's recommendation by doing the following: (a) restoring the mileage aid rate to \$2,117 per mile for 2012 and thereafter; (b) increasing the proposed minimum aid guarantee from 85% to 90% of the prior year payment; and (c) providing \$2,160,100 SEG in 2011-12 and \$8,640,500 SEG in 2012-13 for counties and \$6,623,800 SEG in 2011-12 and \$13,247,700 SEG in 2012-13 for municipalities (no funding shift would occur). Set the distribution for calendar year 2012 and thereafter at \$102,615,600 for counties and \$308,904,300 for municipalities. Delete the Governor's recommended changes from 90% to 85% under the penalty provisions to reflect the change in the minimum guarantee.

5. *Supplemental Paratransit Aid.* Provide \$2,500,000 SEG annually to supplement the costs of paratransit service provided by transit systems that are eligible for state mass transit operating assistance. Require the Department of Transportation to annually distribute the paratransit funding to eligible transit systems in a way that would maximize the level of paratransit service provided by those systems. Specify that the Department must give priority in the distribution of the funding to paratransit service that existed on the effective date of this provision. Create an annual appropriation funded from the transportation fund to provide these supplemental paratransit payments. Define "paratransit service" to be comparable transportation service required by the federal American with Disabilities Act for individuals with disabilities who are unable to use fixed route transportation systems.

6. *Funding Source for the Mass Transit Aid Program.* Adopt Alternative #6 of LFB Issue Paper #651, which would delete a provision in the bill that would switch the funding source from the transportation fund to the general fund, beginning in 2012-13. Increase funding for mass transit assistance by \$106,478,300 SEG in 2012-13 and reduce GPR funding for the program by a corresponding amount.

7. *State Highway Rehabilitation Program Funding.* Modify the funding for the state highway rehabilitation program as follows: (a) reduce funding by \$1,000,000 SEG in 2011-12 and \$39,261,300 SEG in 2012-13; (b) increase funding by \$1,000,000 FED in 2011-12 and \$2,061,300 FED in 2012-13; and (c) authorize \$31,000,000 in transportation fund-supported, general obligation bonds for the program. Increase funding by \$768,000 SEG in 2012-13 to reflect estimated debt service payments on the bonds.

8. *Major Highway Development Program.* Adopt Alternatives #A1, #B1, #C2, #D1, and #E2 of LFB Issue Paper #666, which would: (a) approve the Governor's recommended funding level for the major highway development program; (b) approve the Governor's recommendation to modify the definition of a major highway project, with a modification to authorize the Department to determine the initial applicability of the definitional change; (c) modify the Governor's recommendation with respect to the Transportation Projects Commission review of high-cost rehabilitation projects to: (1) clarify that the expedited review procedure would not apply to projects that exceed the capacity expansion thresholds for a major highway project; and (2) delete the 14-day passive review process as part of the expedited review and instead specify that DOT cannot proceed with construction of one of these projects unless the Commission meets and approves, or modifies and approves, the Department's request; (d) approve the Governor's recommendation to enumerate four major highway projects for construction; and (e) maintain current law TPC recommendation policy.

9. *High-Cost Bridge Program.* Create SEG, FED, and SEG-L appropriations for high-cost state highway bridges, for rehabilitation or construction projects on bridges on the state trunk highway system, other than major interstate bridge projects, with an estimated cost exceeding \$150,000,000. Specify that a bridge project meeting these specifications is not considered a major highway project or southeast Wisconsin freeway megaproject. Specify that during the 2011-13 biennium, the Department may use funds from the major highway development, state highway rehabilitation, and the southeast Wisconsin megaprojects program for preliminary costs associated with the reconstruction of the Hoan Bridge and approaches to the east bank of the Milwaukee River on I-794 in Milwaukee County.

10. *Southeast Wisconsin Freeway Megaprojects.* Adopt Alternatives #A1 and #B1 of LFB Issue Paper #667, which would approve the Governor's recommended funding level for the I-94 North-South freeway project and the Zoo Interchange project. Modify the bill to require the Department to submit a report to the Committee, by December 1, 2011, that does the following: (a) outlines a financing plan and schedule for the Zoo Interchange project, including planned expenditures by year and by funding source, through the year of completion; (b) shows the impact on transportation fund debt service of the issuance of bonds for the project as well as past and future issuance of transportation fund-supported bonds for other projects and programs; and (c) provides estimates of the percentage of gross transportation fund revenues that would be required for the payment of transportation debt service on any bonds described under (b), through two years following the year of completion of the Zoo Interchange project.

11. *Minimum Service Hour Requirements for Division of Motor Vehicles Service Centers.* Provide \$6,000,000 SEG in 2011-12 and \$4,000,000 SEG in 2012-13 and 55.0 SEG positions annually for the Division of Motor Vehicles and require the Department of Transportation to provide at least 20 hours of driver's license-related services per week in each county in the state. Require the Department to provide services in each county in the most cost-effective means possible, including by contracting with counties or other local governments to provide services.

12. *State Patrol Recruit Class Funding.* Provide \$2,800,000 SEG in 2011-12 for the Division of State Patrol for costs related to conducting a recruit class for new troopers and inspectors.

13. *Bicycle and Pedestrian Facilities Grant Program.* Increase funding by \$1,000,000 FED annually for the bicycle and pedestrian facilities grant program, to provide a total, when added to base funding, of \$3,720,000 FED annually.

14. *Astronautics Assistance.* Move to provide \$10,000 SEG in 2011-12 in the astronautics assistance appropriation for the Wisconsin Aerospace Authority.

15. *Local Roads Improvement Program Funding.* Transfer \$10,000,000 SEG annually from the state highway rehabilitation program to the discretionary grant component of the local roads improvement program. Increase the annual allocation for discretionary grants by \$5,000,000 each for town road projects and county highway projects.

16. *Limitations on Appeals and Litigation Expenses in Eminent Domain Proceedings.* Make the following modifications with general applicability to the state's eminent domain law:

a. Limit the amount of attorney's fees included in the litigation expenses that are reimbursed by an acquiring authority, in cases involving the appeal of a condemnation award, to an amount equal to one-third of the difference between the amount awarded by the condemnation commission or jury verdict and the acquiring authority's rejected jurisdictional offer or highest written offer prior to the jurisdictional offer. Specify that if this amount is less than \$5,000, and the property owner shows good cause, the amount of reimbursed attorney's fees may exceed one-third of the difference, but may not exceed \$5,000. Specify that the same limits apply in cases of an appeal to a circuit court of an award of a condemnation commission, except that the calculation of the limit shall be based on the difference between the court's award and the condemnation commission's award.

b. Limit the circumstances under which litigation expenses may be awarded following an appeal in a condemnation proceeding, by increasing the trigger amount by which the final award must exceed the jurisdictional offer or highest written offer from at least \$700 and at least 15% of the offer, under current law, to at least \$10,000 and at least 15% of the offer.

Make the following modifications with applicability to: (1) property acquisition proceedings involving transportation projects, sanitary and storm sewers, watercourses, water transmission and distribution facilities, and gas or leachate extraction systems used to remedy environmental pollution from a solid waste disposal facility; and (2) other public and private entities with condemnation authority (such as other state and local agencies and utilities), except for certain types of projects initiated by first class cities (Milwaukee), municipal utilities, or for cemeteries, which are governed by separate statutory provisions:

a. Eliminate a current law provision that gives a property owner the right to file an appeal with the county condemnation commission or circuit court over the amount of an award for property acquisition and relocation or other related expenses in cases where the property conveyance occurred as the result of a negotiated settlement. Specify that this provision would first apply to conveyances recorded with the register of deeds on the general effective date of the budget act. Property owners would retain the right to refuse a negotiated settlement and appeal the amount of a subsequent condemnation award.

b. Specify that only an appraisal submitted by the condemning authority or an appraisal submitted by the property owner prior to the submission of a jurisdictional offer (following the failure to reach a negotiated settlement) may be introduced by either party in a subsequent appeal.

Make the following modification with applicability to property acquisition proceedings involving transportation projects and the other types of projects listed in "a" above:

Modify a current law provision relating to the appeal of a condemnation award (in cases not involving a negotiated settlement), to specify that only appraisals presented by the acquiring authority, or an appraisal prepared on behalf of the property owner and submitted to the acquiring authority prior to the service of a jurisdictional offer, may be used in an appeal.

Specify that these provisions would first apply to appeal actions brought, conveyances recorded, appraisals obtained, and negotiations obtained on the general effective date of the budget act.

17. *Relocation of Outdoor Advertising Signs.* Specify that realignment of a real estate site of an outdoor advertising sign that does not conform to a municipal or county ordinance where the realignment is caused by a state highway project shall not affect that sign's nonconforming status under that ordinance. Specify that in any case where such a sign is proposed to be moved as part of a state highway project, DOT shall notify the affected municipal or county government of the proposed realignment, and the affected municipal or county government may petition the Department to condemn the sign and any real estate interest of the sign owner that must be acquired. If the Department condemns the sign, the petitioning unit of government shall pay to the Department an amount equal to the condemnation award made for the sign and related real estate interest, less relocation costs for the sign that would have been paid by the Department if the sign had been relocated rather than condemned. Specify that in the event of nonpayment, the Department may withhold an amount due from the local government's general transportation aid payment. Specify that these provisions do not permit the alteration or movement of a sign that is nonconforming under state law.

18. *Bidding Requirements for Public Works Projects.* Prohibit any county or municipality from using its own workforce to perform a highway improvement project on highways under its jurisdiction, or highways under the jurisdiction of another local government, if the project costs \$100,000 or more, and either of the following apply: (a) the project is funded in part or in full with federal funds, and construction commences after July 1, 2013; or (b) the project is funded in part or in full with state funds, not including funds received under the general transportation aid program, and construction commences after July 1, 2015. Specify that this restriction does not apply to: (a) projects performed by a county workforce on town roads if the state funding is provided under the local roads improvement program and the project complies with bidding requirements and exceptions under that program (as modified below); and (b) the portion of projects under the discretionary component of the county highway improvement program funded with county funds.

Prohibit any unit of government from doing any public construction, public works project, or construction-related services, including, without limitation, road, sewer, water,

stormwater, wastewater, recycling or bridge projects, for or with another unit of government under any agreement or arrangement, including, without limitation, an intergovernmental cooperative agreement or under local government purchasing provisions, but specify that this prohibition does not apply to town road projects funded under the local roads improvement program or public contracts entered into by a town with another unit of government, effective three months after the general effective date of the bill.

Prohibit any county from using its own workforce to perform a highway improvement project, not including highway maintenance work, for or with any village or city, regardless of the source of funds, if the project has a cost exceeding \$100,000, effective three months after the general effective date of the bill.

Specify that the restrictions, as described above do not apply in emergencies formally declared by the chief elected official of the municipality or county or for projects where all materials are donated and labor is provided by unpaid volunteers. Specify that the above restrictions do not apply to any projects conducted by a county under an individual project agreement approved prior to the general effective date of the bill.

Modify a current law provision that exempts county public works projects from general bidding requirements, under certain circumstances, to conform with these changes. Prohibit any county or municipality from dividing an improvement project into two or more pieces for the purpose of evading the \$100,000 thresholds in these provisions.

19. *Restrictions on Work Done for Private Entities.* Prohibit any local government, using its own workforce, from performing the construction of roads, sewers, water, stormwater, wastewater, grading, parking lots, or other infrastructure or construction-related services on behalf of a private entity, including infrastructure projects where the responsibility for the cost of the infrastructure belongs to a private entity, effective three months after the general effective date of the bill.

20. *Local Roads Improvement Program Bidding Requirements.* Modify the local roads improvement program bidding requirements, effective July 1, 2015, to: (a) eliminate a provision that allows a city or village to contract with a county for an improvement under the program if it does not receive a responsible bid for the project; (b) eliminate a provision that allows a county to perform work under the program under certain conditions, including if the county finds that it would be cost-effective to do so; and (c) specify that counties may perform work under the program for a city or village within the county or work on its own system only if the cost of the project is less than \$100,000. Specify, effective three months after the general effective date of the bill, that a county may not perform work for a project for which the county has prepared the required project cost estimate (a sealed estimate prepared prior to the submission of bids).

21. *Local Roads Improvement Program Project Eligibility.* Specify that a double seal coat project on a town road is eligible for funding under the local roads improvement program if it has a projected life of at least 10 years, similar projects in the same geographic area have performed satisfactorily, and the county highway commissioner of the county in which the project is located approves the project's eligibility.

22. *Prohibition on Alternative Bidding Methods.* Prohibit local governments from utilizing methods for letting public works projects for bid, other than accepting sealed bids, awarded to the lowest responsible bidder. Specify that this prohibition applies to bidding methods that give preference based on the geographic location of the bidder or that use other criteria that affect the selection of the lowest responsible bidder.

23. *Local Let Authority.* Eliminate a current law provision that authorizes DOT to designate the governing body of a local government as its agent on behalf of the state to perform bidding, contracting, and oversight responsibilities for a state highway improvement project.

24. *State Highway Maintenance Program -- Funding.* Provide \$15,000,000 SEG annually for the state highway maintenance program.

25. *State Highway Maintenance Program -- DOT Requirements.* Require DOT to work cooperatively with the county highway departments to determine an appropriate level of state work sufficient to fully utilize manpower and equipment needed for winter maintenance. Require DOT, in each biennial budget submission, to include a funding proposal for maintenance activities performed by counties that is no less than the base year and includes an inflationary adjustment, if it is determined that the level of funding for that purpose is inadequate to perform needed maintenance activities.

26. *State Highway Maintenance Program -- Definitions of Maintenance Activities.* Modify provisions related to highway maintenance activities done by counties or municipalities, as follows: (a) eliminate the authority of DOT to contract with a county or municipality for maintenance of state trunk highways beyond the limits of the county or municipality, except that: (1) in cases where a short segment of highway passes through a county, but for which there is no access or only limited access to that highway from other parts of the county, the Department may contract with an adjoining county to maintain that short segment; and (2) the Department may deploy county and municipal maintenance resources across county lines for winter maintenance snow plowing, salting, deicing, pot hole filling, and incidents such as pavement and deck failures, incident response, and bridge hits; (b) modify the definition of maintenance to specify that it does not include repair that is a capital investment that will improve a highway facility for at least 10 years; (c) specify that maintenance activities include restoring material losses, patching, mudjacking, joint filling, crack sealing, and interim short resurfacing projects, provided that they are less than 500 feet in length, less than three-fourths inch thick, and cost less than \$25,000; (d) specify that the term maintenance does not include a highway improvement project; (e) modify a provision that authorizes the Department to contract "with a private entity for service or materials or both associated with the installation, replacement, or maintenance of highway signs, traffic control signals, highway lighting, pavement markings, and intelligent highway systems" to eliminate the phrase "associated with the ...systems"; and (f) make the following other modifications to the term "maintenance": (1) eliminate the distinction in the definition of maintenance between general maintenance and special maintenance; (2) modify the phrase "repair of highway surfaces..." to be "interim repair of highway surfaces..."; (3) change the term "complete repair" to "repair" and add the phrase "of travel surfaces, shoulders, roadsides and traffic weigh stations, park and ride lots, drainage facilities, bridges, bridge, tunnels" after "repair"; (4) include sanding of ice in the list of maintenance activities; (5) replace the term

"restoration" with the term "preservation"; and (6) eliminate the phrase "all measures necessary to provide adequate traffic service".

27. *State Highway Improvement Program Bidding Requirements.* Delete a current law provision that authorizes the Department to contract with a county or municipality for a highway improvement project. Instead, specify that the Department may enter into such contracts only if the project is an emergency and no private contractors are available. Specify that this provision takes effect three months after the general effective date of the bill. Authorize the Department to employ an accelerated bidding process under circumstances when a project is unexpectedly needed and the normal timelines and bidding documents allow insufficient time to follow uniform methods.

28. *Borrow and Disposal Sites for Transportation Projects.* Modify a current law provision that exempts any site for the excavation of borrow (soil or a soil, stone, and gravel mixture) from local zoning ordinances provided that it meets certain conditions and is opened for use prior to July 1, 2011, as follows:

a. eliminate the July 1, 2011 applicability sunset date for these provisions, but specify that the current law zoning exemptions would continue to apply to borrow sites opened prior to that date.

b. expand the applicability of the provision to cover: (1) sites for use of material disposal (defined below), in addition to sites used for excavation of borrow; (2) sites for any transportation project (defined below), instead of, under current law, any state highway construction project; and (3) any site off the site of a transportation project, provided that the Department determines that the site is not a commercial establishment that has a fixed place of business from which the establishment regularly supplies processed or manufactured materials or products, instead of, under current law, any site that is located on a property near the site of a state highway construction project for which borrow is being used. Define "material disposal site" as a site used for the lawful disposal of surplus materials from a transportation project that is under the direct control of the transportation project contractor or a transportation project subcontractor, but specify that the term does not include a private landfill that is not managed by the transportation project contractor or a transportation project subcontractor or a landfill that is owned or directly controlled by a political subdivision. Define "transportation project" as a construction or maintenance project that relates to an airport, railroad, highway, bridge, or other transportation facility that is directed and supervised by DOT and that is subject to an interagency expedited permit approval agreement between DOT and DNR.

c. modify the conditions for the applicability of the zoning exemption as follows: (1) specify that the transportation project contractor must assume sole responsibility for the operation of the site; (2) specify that the transportation project contractor or subcontractor may not crush, screen, wash, blast, or apply another manufacturing process to mineral aggregate from the borrow site, on or off the borrow site, to produce finished aggregate products; (3) specify that the contractor must comply with any applicable noise limit standards established by administrative rule by the Department of Commerce for mine or quarry operations, instead of, under current law, agreeing to any noise abatement measures required by the governing body of the applicable political subdivision; (4) specify that the contractor must comply with applicable restoration requirements

established by DOT and DNR under the interagency agreement for the project and any restoration requirements established by DOT for construction site erosion control, instead of, under current law, agreeing to any landscaping measures required by the governing body of the applicable political subdivision; and (5) eliminate a requirement that the owner of the property on which the borrow (or material disposal) site is located agrees to reasonably restore the site after the period of use.

[Change to Bill: \$125,000,000 GPR-Transfer; -\$106,478,009 GPR; -\$125,000,000 SEG-REV; \$145,467,100 SEG and 55.0 SEG positions; \$5,061,300 FED; and \$31,000,000 BR]

Posted By:
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